

OCT 14 2004

DOCKET NO. D0590.70019US00

**REQUEST FOR CONTINUED
EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/857,478
Confirmation Number	4784
Filing Date	August 17, 2001
First Named Inventor	Titus Kaletta, et al.
Group Art Unit	1636
Examiner Name	Sumesh Kaushal

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, you may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on .
(Any unentered amendment(s) referred to above will be entered.)
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
- iii. Other:

b. Enclosed is/are:

- i. Amendment/Reply
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other:

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months. (Period of suspension shall not exceed 3 months) and the Fee of \$130.00 under 37 C.F.R. § 1.17(i) is enclosed.

b. Other:

3. Fees - The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. Enclosed is a check in the amount of \$395.00 which covers:

- i. RCE fee required under 37 C.F.R. § 1.17(e)
- ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. Other

4. If the filing of this RCE necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time.

5. If there is no check enclosed, or if the amount of the enclosed check in this RCE is incorrect, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

6. CORRESPONDENCE ADDRESS

Correspondence address below

CUSTOMER NUMBER:

23628

7. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	John R. Van Amstelam, Ph.D., Reg. No. 40,212
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SIGNATURE	
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DATE	October <u>12</u> , 2004
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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to **Mail Stop RCE**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 12th day of October, 2004


June Watson



DOCKET NO: D0590.70019US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Titus Kaletta, et al.
Serial No.: 09/857,478
Confirmation No.: 4784
Filed: August 17, 2001
For: METHODS FOR CONSTRUCTING LIBRARIES OF PHENOTYPE PROFILES

Examiner: Sumesh Kaushal
Art Unit: 1636

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 12th day of October, 2004.


John R. Van Amsterdam

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Final Office Action mailed February 12, 2004, and further to the Notice of Appeal filed on August, 9, 2004, please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this amendment.

Remarks begin on page 6 of this amendment.